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LETTER DATED 14 JUNE 1990 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that the Iranian armed forces have committed the following violations of the cease-fire provisions:

1. At 1100 hours on 21 May 1990, an Iranian bulldozer proceeded to build a 2-metre-high earth embankment on the left slope of hill 1756 at co-ordinates 706636, extending in the direction of hill 2160 at co-ordinates 687635, 1,500 metres from our I Army Corps units. The finished embankment measured 100 metres in length.

2. On 21 May 1990, for the fifth consecutive day, the Iranian engineering unit consisting of a bulldozer, a grader and 12 dump trucks continued building a new embankment between co-ordinates 998729 and 998735, 300 to 400 metres from our III Army Corps units.

3. At 0840 hours on 21 May 1990, the Iranians made a 5-metre-wide opening in the first Iranian embankment at co-ordinates 944818, 400 metres from our III Army Corps units.

4. At 0815 hours on 21 May 1990, four Iranians proceeded to improve the Iranian observation post in the Curve area at co-ordinates 582721, 1,200 metres from our VI Army Corps units.

5. On 21 May 1990, the Iranian engineering unit consisting of nine dump trucks, an excavator and a bulldozer continued to operate on the northern drainage dam in no man's land at co-ordinates 585599, 1,330 metres from our VI Army Corps units.

6. At 1200 hours on 21 May 1990, the Iranians dug a slit trench on the earth rampart at co-ordinates 331571, 600 metres from our VII Army Corps units.

7. At 1830 hours on 21 May 1990, the Iranians pitched a tent on the left slope of hill 2039, bringing the total number of tents to three, at co-ordinates 739646, 2,500 metres from our I Army Corps units.

8. At 1120 hours on 22 May 1990, six Iranians were seen building a personnel shelter inside their positions north of Tit Ya'in at co-ordinates 375834, 2,000 metres from our I Army Corps units.

9. On 22 May 1990, the Iranian engineering unit consisting of a bulldozer, a grader, a roller and four dump trucks continued to operate on the new embankment between co-ordinates 998729 and 998735, 300 to 400 metres from our III Army Corps units.

10. At 0810 hours on 22 May 1990, the Iranians dug two positions on the Iranian embankment at co-ordinates 929311, 2,900 metres from our III Army Corps units.

11. On 22 May 1990, the Iranian engineering unit consisting of nine dump trucks, two excavators and a bulldozer continued to operate on the northern drainage dam in no man's land at co-ordinates 585599, 1,330 metres from our VI Army Corps units.

12. At 1945 hours on 22 May 1990, an Iranian vehicle was seen carrying eight 2-metre-long and 1-metre-wide semicircular concrete shelter sections, with a hoist that lowered them onto the rampart at co-ordinates 423543, 700 metres from our VII Army Corps units.

13. At 0830 hours on 23 May 1990, two Iranian bulldozers proceeded to raise the height of the old earth embankment west of the Ayn Khush-Dehloran main road and to the north of Ali Nasir between co-ordinates 405946 and 414943, 6,500 to 7,000 metres from our IV Army Corps units.

14. On 23 May 1990, the operations of the Iranian engineering unit consisting of nine dump trucks, two excavators and two bulldozers continued on the northern drainage dam in no man's land at co-ordinates 585599, 1,330 metres from our VI Army Corps units.

15. At 0825 hours on 23 May 1990, an Iranian vehicle proceeded to lower eight semicircular concrete shelter sections measuring 1 metre by 2 metres behind the Iranian embankment at co-ordinates 424547, 800 metres from our VII Army Corps units.

16. On 23 May 1990, the dump trucks operating with the Iranian engineering unit were withdrawn, leaving two bulldozers and two excavators, which proceeded to extend a new, 30-metre-long rampart at co-ordinates 592613, opposite the first rampart at co-ordinates 592613, 3,500 metres from our VI Army Corps units.

17. At 1110 hours on 24 May 1990, a 500-metre increase was noted in the earth embankment located between Mount Zamakan and Zamakan bridge at co-ordinates 855766, 2,000 metres from our I Army Corps units.

18. At 0800 hours on 24 May 1990, an Iranian vehicle carrying an excavator was seen coming from the Iranian rear and stopping in the Curve area. The excavator was lowered and proceeded to operate to the left of the Iranian observation post at co-ordinates 588717, 2,800 metres from our VI Army Corps units.

19. At 0850 hours on 24 May 1990, an Iranian engineering unit consisting of a grader, a bulldozer, a roller and 10 dump trucks was seen strengthening a road at co-ordinates 400568, 600 metres from our VII Army Corps units.

20. At 0900 hours on 24 May 1990, an excavator was seen making a 5-metre-wide opening at co-ordinates 367594, 500 metres from our VII Army Corps units.

21. At 0920 hours on 24 May 1990, a group of Iranian military personnel, estimated to number 30, was seen digging a 100-metre-long communications trench at co-ordinates 276695, 600 metres from our VII Army Corps units.

22. At 0930 hours on 24 May 1990, the Iranians built a 1-metre-high and 1-metre-wide observation post of sandbags at co-ordinates 246716, 600 metres from our VII Army Corps units.

23. At 1100 hours on 24 May 1990, an Iranian engineering unit consisting of a bulldozer, two rollers, a grader, a tanker truck and four dump trucks was seen strengthening an earth rampart at co-ordinates 272699, 600 metres from our VII Army Corps units.

24. Between 0830 and 1100 hours on 25 May 1990, two bulldozers built a new 20-metre-long and 2-metre-high earth embankment west of the Ayn Khush - Dehloran main road and east of Ali Na'ir at co-ordinates 413942, 7,000 metres from our IV Army Corps units.

25. At 0700 hours on 25 May 1990, an Iranian engineering unit consisting of an excavator and five dump trucks was observed strengthening an embankment at co-ordinates 681153, 1,400 metres from our VII Army Corps units.

26. At 0900 hours on 25 May 1990, an Iranian engineering unit consisting of a bulldozer, a roller and 10 dump trucks proceeded to strengthen a road at co-ordinates 400568, 600 metres from our VII Army Corps units.

27. At 0920 hours on 25 May 1990, the Iranians dug a 100-metre-long communications trench at co-ordinates 325569, 600 metres from our VII Army Corps units.

28. At 0930 hours on 25 May 1990, the Iranians dug a communications trench on the Iranian embankment at co-ordinates 278694, 600 metres from our VII Army Corps units.

29. At 0930 hours on 25 May 1990, an Iranian engineering unit consisting of an excavator, a roller and five dump trucks was seen raising the height of the dam at co-ordinates 275696, 600 metres from our VII Army Corps units.

30. At 0900 hours on 26 May 1990, the Iranians dug a 100- to 120-metre-long trench inside their positions west of Yusuf Hayy at co-ordinates 848818, 800 metres from our I Army Corps units.

31. At 1045 hours on 26 May 1990, seven Iranians were seen digging a slit trench around the Iranian mound on the left slope of hill 2039 at co-ordinates 737642, 2,400 metres from our I Army Corps units. The completed work measured 15 metres.

32. At 1400 hours on 26 May 1990, seven Iranians built a new, 1.5-metre-high and 1-metre-wide position of large bricks at co-ordinates 523692, 1,400 metres from our II Army Corps units.

33. At 0950 hours on 26 May 1990, the Iranian engineering unit consisting of 10 dump trucks and an excavator began operating on the northern drainage dam at co-ordinates 612634, 6,000 metres from our VI Army Corps units.

34. At 0600 hours on 26 May 1990, an Iranian engineering unit consisting of an excavator, a roller and 12 dump trucks was seen levelling a road at co-ordinates 561205, 800 metres from our VII Army Corps units.

35. At 0700 hours on 26 May 1990, an Iranian engineering unit consisting of three dump trucks and an excavator was seen strengthening an embankment at co-ordinates 681153, 1,400 metres from our VII Army Corps units.

36. At 0930 hours on 26 May 1990, an Iranian engineering unit consisting of a bulldozer and 10 dump trucks was seen levelling a road at co-ordinates 517404, 600 metres from our VII Army Corps units.

37. At 1135 hours on 26 May 1990, a group of Iranians was seen building a position of sandbags at co-ordinates 499339, 1,000 metres from our VII Army Corps units.

38. At 0830 hours on 26 May 1990, an Iranian engineering unit consisting of an excavator, a bulldozer, a tanker truck and four dump trucks was seen repairing the earth rampart at co-ordinates 235719, 600 metres from our VII Army Corps units.

39. At 1020 hours on 26 May 1990, 13 Iranians with full military equipment were seen carrying out the exercise of entering the defensive positions, under the instructions of a person wearing khaki-coloured flannels.

40. At 1850 hours on 26 May 1990, 24 Iranians with an officer were seen digging a communications trench on the earth rampart at co-ordinates 309591, 700 metres from our VII Army Corps units.

41. At 1930 hours on 26 May 1990, 10 Iranian soldiers were seen digging a 10-metre-long communications trench on the earth rampart at co-ordinates 345585, 600 metres from our VII Army Corps units.

42. At 1300 hours on 27 May 1990, the Iranians set up a new flag in the hill 2177 area at co-ordinates 997117, 2,500 metres from our I Army Corps units.

43. At 0945 hours on 27 May 1990, an excavator proceeded to strengthen the spit extending out in the flood area at co-ordinates 626997, 2,700 metres from our III Army Corps units.

44. On 27 May 1990, an Iranian engineering unit consisting of an excavator, a bulldozer, a roller and eight dump trucks was seen operating at the new embankment between co-ordinates 998728 and 999734, 300 to 400 metres from our III Army Corps units.

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45. At 0900 hours on 27 May 1990, the Iranians set up barbed wire in front of the monitoring post in no man's land at co-ordinates 947788, 950 metres from our III Army Corps units.

46. On 27 May 1990, an Iranian engineering unit consisting of two excavators, a bulldozer and 10 dump trucks was seen operating on the strengthening of the Makhfar al-Asyud - Kushk al-Basri road at co-ordinates 875354, 2,700 metres from our III Army Corps units.

47. At 0800 hours on 27 May 1990, two bulldozers extended by 15 metres the new earth embankment east of Ayn Na'ir at co-ordinates 411942, 6,500 metres from our IV Army Corps units. The total length of the embankment was then 35 metres.

48. At 1645 hours on 27 May 1990, 11 Iranians built a position on the slope of Sari Bi at co-ordinates 062543, 2,000 metres from our V Army Corps units.

49. At 1720 hours on 27 May 1990, seven Iranians set up a machine-gun on the slope of Sari Bi at co-ordinates 062548, 2,000 metres from our V Army Corps units.

50. At 1920 hours on 27 May 1990, four Iranians pitched two tents on the summit of Sakaniyan at co-ordinates 064548, 1,000 metres from our V Army Corps units.

51. At 1115 hours on 27 May 1990, the Iranian engineering unit consisting of two dump trucks and a bulldozer began operating on the northern drainage dam at co-ordinates 626645, 7,500 metres from our VI Army Corps units.

52. At 0700 hours on 27 May 1990, an Iranian engineering unit consisting of two bulldozers, a roller and 10 dump trucks was seen repairing a road at co-ordinates 558208, 900 metres from our VII Army Corps units.

53. At 1215 hours on 27 May 1990, the Iranians built a position of sandbags on the water tank at co-ordinates 513394, 600 metres from our VII Army Corps units.

54. At 0700 hours on 27 May 1990, the Iranians dug a 1-metre-wide and 150-metre-long communications trench on the embankment at co-ordinates 377694, 600 metres from our VII Army Corps units.

55. At 1930 hours on 27 May 1990, 10 Iranians dug a communications trench on the Iranian rampart at co-ordinates 345585, 600 metres from our VII Army Corps units.

56. At 1045 hours on 27 May 1990, two dump trucks carried earth to the forward embankment at co-ordinates 302630, 700 metres from our VII Army Corps units.

57. At 0905 hours on 28 May 1990, an Iranian excavator was seen operating on the spit extending into the flood zone at co-ordinates 927995, 2,400 metres from our III Army Corps units.

58. On 28 May 1990, the Iranian engineering unit consisting of an excavator, a bulldozer and eight dump trucks was still operating at the new embankment between co-ordinates 998728 and 999734, 300 to 400 metres from III Army Corps units.

59. On 28 May 1990, for the second consecutive day, the Iranian engineering unit consisting of two excavators, a bulldozer and 10 dump trucks continued to operate on the strengthening of the Makhfar al-Asyud - Kushk al-Basri road at co-ordinates 875354, 2,700 metres from our III Army Corps units.

60. At 1000 hours on 28 May 1990, the Iranian engineering unit consisting of an excavator and four dump trucks began to operate in the Curve area at co-ordinates 583719, 1,200 metres from our VI Army Corps units.

61. At 0630 hours on 28 May 1990, an Iranian engineering unit consisting of an excavator, a roller and 10 dump trucks was seen strengthening an embankment at co-ordinates 681153, 1,200 metres from our VII Army Corps units.

62. At 0700 hours on 28 May 1990, an Iranian engineering unit consisting of a bulldozer, a roller and 10 dump trucks was seen strengthening a road at co-ordinates 561204, 700 metres from our VII Army Corps units.

63. At 0745 hours on 28 May 1990, three Iranian boats, each carrying two Iranians, were seen patrolling in the Arabian Gulf at co-ordinates 715115, 3,500 metres from our VII Army Corps units.

64. At 0730 hours on 28 May 1990, an Iranian engineering unit consisting of a grader, a bulldozer, a tanker truck and four dump trucks was seen raising the height of an embankment at co-ordinates 274697, 600 metres from our VII Army Corps units.

65. At 0735 hours on 28 May 1990, 40 Iranians proceeded to dig a communications trench at co-ordinates 275695, 600 metres from our VII Army Corps units.

66. At 0930 hours on 28 May 1990, six Iranians dug a 100-metre-long communications trench on the Iranian rampart at co-ordinates 397586, 600 metres from our VII Army Corps units.

67. At 1300 hours on 28 May 1990, 15 Iranians dug a 100-metre-long communications trench at hill 2375 at co-ordinates 888981, 1,950 metres from our V Army Corps units.

68. At 1300 hours on 28 May 1990, a group of Iranians proceeded to improve a firing position at hill 2399 at co-ordinates 888986, 1,900 metres from our V Army Corps units.

69. At 1000 hours on 29 May 1990, an Iranian excavator was seen opening up a new road in the direction of hill 1855 at co-ordinates 689667, 2,000 metres from our I Army Corps units. The completed work measured 150 metres in length.

70. At 0950 hours on 29 May 1990, an Iranian khaki-coloured helicopter was seen at co-ordinates 547795, 4,000 metres from our II Army Corps units.

71. On 29 May 1990, the Iranian engineering unit continued to operate on the new embankment in no man's land in the Shahlah area from co-ordinates 998737 towards co-ordinates 991741, 100 to 150 metres from our III Army Corps units.

72. At 0800 hours on 29 May 1990, the Iranians set up an iron tower, estimated to measure 15 metres in height, for observation purposes 2,000 metres to the rear of the Iranian embankment at co-ordinates 7239, 12 kilometres from our IV Army Corps units.

73. At 1130 hours on 29 May 1990, a helicopter was seen landing on the slope of Hawarbarkhala at co-ordinates 0651, 4,000 metres from our V Army Corps units. Three personnel alighted from it, and it stayed for three minutes.

74. At 0900 hours on 29 May 1990, the Iranian engineering unit consisting of a dump truck and an excavator began operating in the Curve area at co-ordinates 582719, 1,200 metres from our VI Army Corps units.

75. At 1145 hours on 29 May 1990, five Iranians built a 1-metre-wide and 1.5-metre-high observation post of sandbags on the earth rampart at co-ordinates 496374, 800 metres from our VII Army Corps units.

76. At 0800 hours on 29 May 1990, the Iranians dug a communications trench on the Iranian embankment at co-ordinates 279693, 600 metres from our VII Army Corps units.

77. At 0910 hours on 29 May 1990, an Iranian engineering unit consisting of an excavator, a roller and four dump trucks was seen carrying earth to the forward embankment at co-ordinates 453501, 800 metres from our VII Army Corps units.

78. At 0920 hours on 29 May 1990, an excavator was seen making a 4-metre-wide opening from the bank of the Shatt al-Arab to the rear at co-ordinates 367594, 600 metres from our VII Army Corps units.

79. At 1015 hours on 29 May 1990, 12 Iranians dug four 1-metre-wide positions, at 50-metre intervals, in the communications trench north of the Karun river at co-ordinates 272698, 600 metres from our VII Army Corps units.

80. At 1930 hours on 29 May 1990, a group of Iranians, estimated to number 25, was seen digging a communications trench on the earth rampart at co-ordinates 308591, 600 metres from our VII Army Corps units.

81. At 0800 hours on 30 May 1990, 10 Iranians built a reed hut in front of S4.F1.LKh/2 in the hill 265 area at co-ordinates 176558, 1,700 metres from our II Army Corps units. At 0945 hours, they stopped work.

82. On 30 May 1990, the Iranian engineering unit was still operating on the new embankment in no man's land in the Shahlah area between co-ordinates 991741 and 995740, 6,050 metres from our III Army Corps units.

83. At 0850 hours on 30 May 1990, an Iranian engineering unit consisting of four dump trucks, three rollers, a bulldozer, a grader and a tanker truck was seen raising the height of the Iranian embankment at co-ordinates 271699, 600 metres from our VII Army Corps units.

84. At 0930 hours on 30 May 1990, an Iranian excavator was seen digging at the mouth of the Karun river at co-ordinates 283693, 700 metres from our VII Army Corps units.

85. At 1115 hours on 30 May 1990, four Iranian vehicles were seen carrying earth from the rear to the Iranian embankment at co-ordinates 361596, 600 metres from our VII Army Corps units.

86. At 1725 hours on 30 May 1990, two Iranian hoists placed a large water pipe in the marsh at co-ordinates 367594, 600 metres from our VII Army Corps units.

87. At 1800 hours on 30 May 1990, a group of Iranians dug a communications trench at the earth rampart at 276695, 500 metres from our VII Army Corps units.

88. Between 1800 hours and 2000 hours on 30 May 1990, a bulldozer with an excavator was seen extending by 20 metres the earth dam west of the Ayn al-Khush - Dehloran main road, making the total length 55 metres, at co-ordinates 410941, 7,000 metres from our VII Army Corps units.

89. At 0900 hours on 31 May 1990, during the aircraft flight of the UNIIMOG Assistant Chief Military Observer on the Iranian side in front of the Shahlah area, the sound of shots from an M/T machine-gun was heard. The aircraft then landed to the rear, 7,000 metres from our III Army Corps units.

90. At 1645 hours on 31 May 1990, four Iranians built a guard post in front of the Iranian mound on the left slope of hill 2039 at co-ordinates 739643, 2,000 metres from our I Army Corps units.

91. On 31 May 1990, the Iranian engineering unit continued to operate on the new embankment in no man's land in the Shahlah area between co-ordinates 991741 and co-ordinates 995740, 50 to 60 metres from our III Army Corps units.

92. At 0800 hours on 31 May 1990, the Iranians dug a 100-metre-long communications trench on the first Iranian embankment between co-ordinates 927864 and 927865, 2,000 metres from our III Army Corps units.

93. At 1015 hours on 31 May 1990, the Iranian engineering unit consisting of a dump truck and an excavator began operating on the northern drainage dam at co-ordinates 621642, 7,000 metres from our VI Army Corps units.

94. At 0910 hours on 31 May 1990, two Iranian hoists positioned a large water pipe in the opening made at co-ordinates 367594, 600 metres from our VII Army Corps units. At 1140 hours, an excavator was observed shovelling earth onto the pipe.

95. At 0715 hours on 31 May 1990, a group of Iranians, estimated to number 30 was seen digging a 50-metre-long communications trench on the Iranian embankment at co-ordinates 271699, 600 metres from our VII Army Corps units.

96. At 0940 hours on 31 May 1990, a group of Iranians, estimated to number 20, was seen digging a communications trench at co-ordinates 275695, 600 metres from our VII Army Corps units.

Flooding operation

The Iranian side is continuing its flooding operation in the direction of our III Army Corps opposite the defensive positions of our military units. The water levels have been as follows:

97. 21 May 1990

Between co-ordinates 678327 and 902203, 0-100 centimetres;
Between co-ordinates 902203 and 902904, 20-145 centimetres;
Between co-ordinates 902904 and 989731, 7-120 centimetres.

98. 22 May 1990

Between co-ordinates 678327 and 902203, 0-100 centimetres;
Between co-ordinates 902203 and 902904, 15-145 centimetres;
Between co-ordinates 902904 and 989731, 7-115 centimetres.

99. 23 May 1990

Between co-ordinates 678327 and 902203, 0-100 centimetres;
Between co-ordinates 902203 and 902904, 15-145 centimetres;
Between co-ordinates 902904 and 989731, 7-115 centimetres.

100. 24 May 1990

Between co-ordinates 678327 and 902203, 10-100 centimetres;
Between co-ordinates 902203 and 902904, 15-145 centimetres;
Between co-ordinates 902904 and 989731, 7-115 centimetres.

101. 25 May 1990

Between co-ordinates 678327 and 902203, 12-100 centimetres;
Between co-ordinates 902203 and 902904, 12-140 centimetres;
Between co-ordinates 902904 and 989731, 7-110 centimetres.

102. 26 May 1990

Between co-ordinates 678327 and 902203, 12-100 centimetres;
Between co-ordinates 902203 and 902904, 0-100 centimetres;
Between co-ordinates 902904 and 989731, 7-110 centimetres.

103. 27 May 1990

Between co-ordinates 678327 and 902203, 10-100 centimetres;
Between co-ordinates 902203 and 902904, 0-140 centimetres;
Between co-ordinates 902904 and 989731, 5-110 centimetres.

104. 28 May 1990

Between co-ordinates 678327 and 902203, 5-100 centimetres;
Between co-ordinates 902203 and 902904, 0-140 centimetres;
Between co-ordinates 902904 and 989731, 15-110 centimetres.

105. 29 May 1990

Between co-ordinates 678327 and 902203, 10-100 centimetres;
Between co-ordinates 902203 and 902904, 0-140 centimetres;
Between co-ordinates 902904 and 989731, 0-110 centimetres.

106. 30 May 1990

Between co-ordinates 678327 and 902203, 10-100 centimetres;
Between co-ordinates 902203 and 902904, 0-140 centimetres;
Between co-ordinates 902904 and 989731, 0-110 centimetres.

107. 31 May 1990

Between co-ordinates 678327 and 902203, 10-100 centimetres;
Between co-ordinates 902203 and 902904, 0-135 centimetres;
Between co-ordinates 902904 and 989731, 0-110 centimetres.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Abdul Amir A. AL-ANBARI
Ambassador
Permanent Representative

UNITED NATIONS

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THE SITUATION CONCERNING WESTERN SAHARA

Report of the Secretary-General

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GENERAL INTRODUCTION

1. On 11 August 1988, the Secretary-General of the United Nations and the Special Envoy of the then Chairman of the Assembly of Heads of State and Government of the Organization of African Unity (OAU) presented, in separate meetings, to the parties to the conflict in Western Sahara, namely Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro (Frente POLISARIO), a document ("the settlement proposals") containing proposals for a just and definitive solution of the question of Western Sahara in conformity with General Assembly resolution 1514 (XV) by means of a cease-fire and the holding of a referendum without military or administrative constraints to enable the people of Western Sahara, in the exercise of their right to self-determination, to choose between independence and integration with Morocco.

2. On 30 August 1988, in separate meetings, the representatives of each of the two parties, while making comments and observations, informed the Secretary-General of their agreement in principle to the settlement proposals. On 20 September 1988 the Security Council was informed of this fact by the Secretary-General, who provided the Council with an outline of the settlement proposals. The Council thereupon adopted resolution 621 (1988) of 20 September 1988, authorizing the Secretary-General to appoint a special representative for Western Sahara and requesting him to transmit to it as soon as possibile a report on the holding of a referendum for self-determination of the people of Western Sahara and on ways and means to ensure the organization and supervision of such a referendum by the United Nations in co-operation with OAU.

3. The present report is divided into two parts:

(a) Part I contains the full text of the settlement proposals as accepted in principle by the parties on 30 August 1988. The Secretary-General believes that it would be useful for the Council to have the full text available to it at this stage, thus supplementing the outline he had provided to the Council in 1988;

(b) Part II contains a report on developments since September 1988 and it contains the Secretary-General's implementation plan for giving effect to the settlement proposals, taking account of developments since their acceptance in principle by the parties. The implementation plan is submitted to the Council pursuant to its request contained in resolution 621 (1988).

Part I

Proposals by the Secretary-General of the United Nations and the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity aimed at a settlement of the question of Western Sahara accepted in principle by the parties on 30 August 1988

I. INTRODUCTION

4. The essential aim of the proposals by the Secretary-General of the United Nations and the current Chairman of OAU is to enable the people of the Territory of Western Sahara to exercise their right to self-determination and independence, in accordance with United Nations General Assembly resolutions 1514 (XV) of 14 December 1960 and 40/50 of 2 December 1985 and resolution AHG/Res. 104 (XIX) adopted by the Assembly of Heads of State and Government of OAU at its nineteenth ordinary session held at Addis Ababa from 6 to 12 June 1983. To this end, the Secretary-General of the United Nations and the current Chairman of OAU have held consultations with the two parties to the conflict in Western Sahara, Morocco and the Frente Popular para la Liberación de Saquía el-Hamra y de Río de Oro (Frente POLISARIO), aimed at promoting the conclusion of an agreement on the organization of a fair and impartial referendum, without military or administrative constraints.

5. The Secretary-General of the United Nations and the current Chairman of OAU believe that the following proposals represent a compromise and a practical and reasonable basis for implementing OAU resolution AHG/Res. 104 (XIX) and General Assembly resolution 40/50, while taking the two parties' interests into account.

6. To this end, they have drawn up proposals for settling the question of Western Sahara that would enable the people of the Territory to exercise their inalienable right to self-determination and independence under conditions acceptable to them and, hence, to the international community.

II. ROLE OF THE SECURITY COUNCIL

7. The Security Council will be called on to adopt a resolution requesting the Secretary-General to appoint a special representative. The Secretary-General will make this appointment in consultation with the current Chairman of OAU and with the consent of the parties to the conflict. The Security Council will make the necessary arrangements for the deployment of the Observer Group mentioned in paragraphs 12, 16, 17, 18 (d) and 20 below.

III. MANDATE AND FUNCTIONS OF THE SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL

8. During the transitional period lasting from the entry into force of the cease-fire to the announcement of the results of the referendum, the Special

Representative will have sole and exclusive authority over all matters relating to the referendum, its organization and conduct.

9. The Special Representative will be assisted by a Support Group made available to him by the Secretary-General of the United Nations and large enough to enable him to perform his organizational and supervisory functions. This Group will include a civilian unit, a military unit and a security unit. The Special Representative and the Support Group will make up the United Nations provisional administration during the transitional period.

10. In order to carry out fully and effectively the mandate and functions entrusted to him, the Special Representative will have the power to take any action he deems necessary to guarantee the freedom of movement and the security of the population, as well as the impartiality of the referendum. To this end, he will have the authority to take, on the spot, any administrative, technical or security measures which he deems it appropriate to apply in the Territory during the transitional period. Such measures will concern matters relating to the conduct of the referendum campaign, such as political meetings and publicity. The Special Representative of the Secretary-General will also be able to request the suspension of any law or measure which, in his view, might hinder the smooth conduct of a free and equitable referendum. Any dispute arising between the parties to the conflict and the Special Representative will have to be submitted to the Secretary-General of the United Nations for a decision.

IV. CEASE-FIRE

A. Cease-fire declaration

11. In conformity with the relevant provisions of General Assembly resolutions 1514 (XV) and 40/50 and OAU resolution AHG/Res. 104 (XIX), the parties to the conflict in Western Sahara, Morocco and the Frente POLISARIO, undertake to end all acts of hostility and to abide scrupulously by the cease-fire to be declared by the Secretary-General of the United Nations, in consultation with the current Chairman of OAU, at a date and in accordance with the procedures set forth below.

B. Date and procedures for the cease-fire

12. As soon as he receives notification from the two parties that they agree to the present proposals, the Secretary-General of the United Nations will send identical letters to Morocco and the Frente POLISARIO proposing a date and a time for the entry into force of the cease-fire. In the letter, which will form an integral part of the present proposals, the Secretary-General of the United Nations will ask the two parties to notify him in writing of their readiness to abide by the terms of the cease-fire. He will also ask the two parties to notify him of their agreement to the proposed date, four weeks prior to the entry into force of the cease-fire. This period is necessary to give the two parties time to inform their troops of the date and exact time at which the cease-fire will take effect

and to permit the deployment of the United Nations Observer Group mentioned in paragraphs 16, 17, 18 (d) and 20 below. The Secretary-General of the United Nations will keep the current Chairman of OAU informed of developments in the situation and will inform him as soon as he receives notification from the two parties that they agree to the terms of the cease-fire.

13. The parties to the conflict undertake to refrain from any act which might lead to hostilities during the period between the date when the Secretary-General of the United Nations receives their reply and the date when the cease-fire takes effect.

14. Immediately after the cease-fire has been declared, the parties to the conflict will halt all their military operations, including troop movements and reinforcements, and acts of violence or intimidation.

15. One week before the entry into force of the cease-fire, the parties to the conflict will notify the Special Representative of the Secretary-General of the United Nations of the size of their forces deployed.

16. So that a referendum may be organized without military constraints, Morocco undertakes to effect an appropriate, substantial and phased reduction of its troops in Western Sahara. The Moroccan troop reduction will be followed immediately by the deployment of the United Nations Observer Group in the Territory. The remaining troops, whose numbers must not exceed ... men, will be confined to locations designated by the Special Representative of the Secretary-General of the United Nations, and will be placed under the supervision of the United Nations Observer Group.

17. The Frente POLISARIO likewise undertakes to have all its troops confined, under the supervision of the United Nations Observer Group, to locations indicated to it by the Special Representative of the Secretary-General of the United Nations. The Moroccan troops and the Frente POLISARIO troops will be confined simultaneously. The confinement of the troops, together with their weapons and equipment, will be completed ... days after the date of entry into force of the cease-fire.

18. The parties to the conflict undertake scrupulously to observe a complete cessation of all acts of hostility so that the referendum process will be free of any interference or intimidation. The Special Representative will take measures concerning: (a) observance of the cessation of all acts of hostility; (b) military arrangements for the Support Group; and (c) military arrangements for the troops of the parties. Such measures include:

(a) The cessation of all hostilities by the two parties, and the confinement of the armed forces of Morocco and the Frente POLISARIO, as called for in paragraphs 16 and 17 above;

(b) The phased reduction of Moroccan troops in Western Sahara, with the exception of (number to be specified) of them, within a period of 12 weeks and before the official opening of the referendum campaign. The freedom of movement of the Moroccan forces remaining in the Territory will be restricted to the locations

referred to in paragraph 16, and these forces will be withdrawn from the Territory 24 hours after the results of the voting are confirmed, if the outcome of the referendum so requires;

(c) The freedom of movement of the Frente POLISARIO forces will be restricted to the locations referred to in paragraph 17, and these forces will be disbanded 24 hours after the results of the voting are confirmed, if the outcome of the referendum so requires;

(d) The neutralization of Morocco's paramilitary forces by the United Nations Observer Group;

(e) Arrangements enabling members of the Frente POLISARIO who are outside the Territory to return to Western Sahara without hindrance, peacefully and unarmed, via entry points designated by the Special Representative, in order to participate freely in the referendum;

(f) The stipulation that the military unit of the Support Group will ensure that the parties comply with any provisions deriving from the outcome of the referendum.

19. The Special Representative will ensure that all the above measures are properly implemented.

20. The Secretary-General of the United Nations, after consulting the Security Council, will appoint a United Nations observer group to be stationed in Western Sahara. The Observer Group will be established and will function in accordance with the general principles applicable to United Nations peace-keeping operations. The Group will be large enough and its composition sufficiently broad for it to be able to perform the functions envisaged in the present proposals. The Group will be responsible for supervising the cessation of hostilities, the application of the cease-fire, the provision of supplies to the troops of the parties to the conflict and the exchange of prisoners. The Observer Group will also be responsible for ascertaining the respective positions of the forces of the two parties at the moment when the cease-fire takes effect. The exchange of prisoners will take place under the supervision of the Observer Group no later than ... days after the cease-fire begins.

21. Morocco and the Frente POLISARIO undertake to co-operate fully with the Observer Group and to abide by and observe scrupulously the above cease-fire provisions.

22. Algeria and Mauritania also undertake to co-operate fully with the Observer Group and to abide by and observe scrupulously the above cease-fire provisions.

V. REFERENDUM

23. In conformity with OAU resolution AHG/Res. 104 (XIX) and General Assembly resolutions 1514 (XV) and 40/50, a referendum will be organized in Western Sahara to enable the people of the Territory to decide their own future freely and democratically. The referendum will be organized and conducted by the United Nations, in co-operation with OAU, during a transitional period.

A. Census of the Saharan population

24. All Saharans counted in the 1974 census taken by the Spanish authorities and aged 18 years or over will have the right to vote in the referendum. With the assistance of the United Nations High Commissioner for Refugees (UNHCR), a census of Saharan refugees living outside the Territory will be taken in places designated by the Special Representative.

25. To facilitate the task of taking a census of the Saharan population, the Secretary-General will set up, in consultation with the current Chairman of OAU, an identification commission responsible for carefully and scrupulously reviewing the 1974 census and updating it. Under the authority of the Special Representative of the Secretary-General, the Commission will perform its task during the transitional period. In any case, it must have completed its work before the referendum campaign begins.

26. The Identification Commission will consist of a population expert familiar with the problems and features of Saharan society, assisted by three to five specialists in the demographics of countries whose population is predominantly nomadic. The Commission will form an integral part of the Support Group of the Special Representative of the Secretary-General.

27. The role of the Saharan Identification Commission will be:

(a) To review carefully the census taken in the Territory in 1974 by the Spanish authorities and update it;

(b) Calculate the real growth of the Saharan population in the period between the date of the above census and the date of organization of the referendum, taking into account the following elements:

(i) Births and deaths;

(ii) Movements of the Saharan population.

28. On the basis of the information mentioned above, the Identification Commission will establish as precisely as possible the number of Saharans living in the Territory of Western Sahara and the number of Saharan refugees and non-residents qualified to participate in the referendum.

29. The Saharan Identification Commission will function as follows:

(a) In the first stage, the Identification Commission will conduct its research under the guidance of the population expert, who will submit reports to the Special Representative on the progress of the Commission's work;

(b) In the second stage, once its preliminary research is complete, the Identification Commission will meet in the presence of the tribal chiefs of Western Sahara. The chiefs will be asked to comment on and contribute to the work of the Identification Commission;

(c) The representatives of the two parties and of OAU mentioned in paragraph 37 of the present document will also be invited to attend, as observers, meetings of the Identification Commission held with the Saharan tribal chiefs.

30. The Saharan Identification Commission will transmit the results and conclusions of its work to the Special Representative, who will submit them to the Secretary-General for consideration in consultation with the current Chairman of OAU.

B. Procedures for the referendum

31. The people of Western Sahara will choose, freely and democratically, between independence and integration with Morocco.

32. Voting will be by secret ballot. Arrangements will be made for people who cannot read or write.

33. The following conditions will have to be met to the satisfaction of the Special Representative of the Secretary-General, in order to guarantee the organization of a free and equitable referendum:

(a) Before the referendum campaign begins, the Special Representative of the Secretary-General may, if he considers it necessary and in the manner envisaged in paragraph 10 above, cause the suspension of any law or measure which, in his view, might limit or prevent the achievement of this objective;

(b) The Special Representative, in co-operation with the parties to the conflict, will take steps to ensure that all Saharan political prisoners and detainees are released before the beginning of the referendum campaign, so that they can participate freely and without restriction in the referendum. Any dispute concerning the release of political prisoners and detainees must be settled to the satisfaction of the Special Representative, who will be assisted in this task by an independent legal expert appointed by the Secretary-General of the United Nations;

(c) All Saharan refugees counted in the census taken pursuant to paragraph 24 above will be able to return freely to the Territory and participate without restriction in the referendum, without running the risk of arrest, detention, intimidation or imprisonment. Various entry points will be designated for this purpose by the Special Representative;

(d) With the assistance of the United Nations High Commissioner for Refugees, the Special Representative will make sure that Saharans residing outside the Territory are able to choose freely and voluntarily whether or not to return to the Territory;

(e) The referendum campaign will begin only when the Special Representative is satisfied that the procedure governing the referendum is equitable and can be applied.

34. The Special Representative will rule quickly on the starting date of the referendum campaign, the preparation of the registers of voters and any other procedural matter, in order to give all Saharans, without restriction and in complete equity, the opportunity to participate in the campaign. Complete freedom of speech, assembly, movement and the press will be guaranteed.

35. The Special Representative of the Secretary-General will be responsible for maintaining law and order in Western Sahara during the transitional period. The Special Representative will also ensure that no one can resort to intimidation or interfere in the referendum process.

36. At each stage of the referendum, the Special Representative will make sure that all the provisions and guarantees of the present document are being respected.

37. The Special Representative of the Secretary-General will invite the representatives of the two parties to the conflict in Western Sahara to observe the organization and conduct of the referendum, without prejudice to his exclusive authority as provided for in the present document. Should these observers have any complaints, they will submit them directly to the Special Representative, whose decision thereon will be final.

38. The two parties to the conflict undertake to co-operate fully with the Special Representative of the Secretary-General in the performance of his functions.

39. The Special Representative will also invite the representatives of OAU to observe the organization and conduct of the referendum, without prejudice to his authority as provided for in the present document. They may submit any observations they might have directly to the Special Representative, who will take whatever action he deems appropriate.

40. Morocco and the Frente POLISARIO undertake to accept and abide by the results of the referendum.

41. As soon as the results of the referendum have been certified by the Special Representative, the Secretary-General will notify the current Chairman of OAU and the United Nations Security Council and will take the necessary steps to give effect to the decision of the Saharan people as expressed in the referendum.

42. The neighbouring countries, Algeria and Mauritania, will do their utmost to ensure that the transitional arrangements and the results of the referendum are respected. They will make available to the Special Representative and the Support Group all the material resources they need in order to be able to perform their task and to facilitate the adoption of measures relating to security and order in the border regions.

Part II

Implementation plan proposed by the Secretary-General pursuant to Security Council resolution 621 (1988) of 20 September 1988

I. INTRODUCTION

43. In its resolution 621 (1988) concerning the situation in Western Sahara the Security Council authorized the Secretary-General to appoint a special representative for Western Sahara. The Secretary-General accordingly appointed Mr. Hector Gros Espiell as his Special Representative with effect from 19 October 1988. Upon his resignation, Mr. Gros Espiell, was succeeded by Mr. Johannes Manz with effect from 19 January 1990.

44. The Secretary-General also undertook preparation of the report called for in Security Council resolution 621 (1988). Having taken note of the comments and observations made by the two parties in their acceptance of the settlement proposals and after further consultations with them and with the current Chairman of OAU, the Secretary-General, on 30 June 1989, established a technical commission at United Nations Headquarters, under his chairmanship, to study ways and means of implementing the settlement proposals. On 12 July 1989, the Special Representative handed to representatives of the two parties a draft timetable for the implementation of the settlement proposals, which had been prepared by the Technical Commission. Morocco's response to the draft timetable was received on 6 October 1989 and that of Frente POLISARIO a week later.

45. The Secretary-General has carefully studied the responses of the parties, as well as the recommendations of the Technical Commission. On the basis of this information, the Secretary-General, after consultations with the current Chairman of OAU, has come to the conclusion that the settlement proposals for Western Sahara should be implemented by means of the implementation plan contained in the present report.

46. The plan is to be carried out by the United Nations in co-operation with OAU, the representatives of which will be associated with the process throughout as official observers who may submit their observations at any stage to the Special Representative of the Secretary-General for his consideration and such action as he deems appropriate. The plan is based essentially on the provisions of the settlement proposals and attempts to meet, to the greatest extent possible, the major concerns of the parties as expressed to the Secretary-General and to the Chairman of OAU during the course of consultations over the past five years. Since presenting the settlement proposals to the parties, the Secretary-General has had further meetings with them and has provided them with additional clarification on points of particular concern to them.

II. MAIN ELEMENTS OF THE IMPLEMENTATION PLAN

47. The implementation plan contained in the present report provides for a transitional period during which:

(a) The Special Representative of the Secretary-General, acting under the authority of the Secretary-General and, as necessary, on instructions from and in consultation with him, will have sole and exclusive responsibility over all matters relating to the referendum, including its organization and conduct;

(b) The Special Representative will be assisted by a United Nations support group, including civilian, military and security (civil police) units, made available by the Secretary-General and large enough to enable the Special Representative to perform his organizational and supervisory functions;

(c) There will be a cease-fire monitored by United Nations military personnel, followed by an exchange of prisoners of war under the auspices of the International Committee of the Red Cross (ICRC);

(d) Morocco will undertake an appropriate, substantial and phased reduction of its troops in the Territory;

(e) The combatants on each side will be confined to certain locations specified by the Special Representative where they will be monitored by United Nations military personnel;

(f) The United Nations will organize and conduct a referendum, and issue the necessary regulations, rules and instructions for this purpose, in which the people of Western Sahara will choose between independence or integration with Morocco;

(g) The United Nations will monitor other aspects of the administration of the Territory, especially the maintenance of law and order, to ensure that the necessary conditions exist for the holding of a free and fair referendum;

(h) Following on the proclamation of an amnesty, political prisoners will be released and all laws or regulations which, in the view of the Special Representative, could impede the holding of a free and fair referendum will be suspended to the extent the Special Representative deems this to be necessary;

(i) All refugees and other Western Saharans resident outside the Territory and wishing to return will be enabled to do so by the United Nations, after the latter has established their right to vote;

(j) The referendum should be held 24 weeks after the cease-fire comes into effect and its results should be proclaimed within 72 hours. The Special Representative will have the authority to determine whether circumstances require any alteration in these deadlines;

(k) Algeria and Mauritania will, as they have already indicated to the Secretary-General, co-operate with the Special Representative in ensuring that the transitional arrangements and the results of the referendum are respected.

The detailed modalities for carrying out the above elements in the implementation plan are described in the following paragraphs.

III. THE SPECIAL REPRESENTATIVE AND THE UNITED NATIONS MISSION FOR THE REFERENDUM IN WESTERN SAHARA

48. The Special Representative, appointed by the Secretary-General pursuant to Security Council resolution 621 (1988), will be his representative in Western Sahara for the implementation of the mandate to be conferred on the Secretary-General by the Security Council. The Special Representative, acting under the authority of the Secretary-General as described in paragraph 47 (a) above, will carry out the tasks provided for him in the settlement proposals and the present implementation plan. The Special Representative will ensure that all elements of the proposals and plan are complied with and he will, at all times, act in accordance with the terms of the proposals and the plan.

49. The Special Representative will be assisted in his tasks by a deputy special representative and by an integrated group of United Nations civilian, military and civil police personnel which he will head and direct. This group will be known as the United Nations Mission for the Referendum in Western Sahara (MINURSO). Arrangements concerning the status of MINURSO and its personnel will be made with the parties and with neighbouring States involved in the implementation of the settlement proposals. Further information on the proposed composition and tasks of the units comprising MINURSO is to be found in paragraphs 77 to 82 below.

IV. TRANSITIONAL PERIOD

50. The transitional period will begin with the coming into effect of the cease-fire and end with the proclamation of the results of the referendum. However, the United Nations would continue to have responsibilities for monitoring either the withdrawal of Moroccan troops or the demobilization of Frente POLISARIO troops, depending on the outcome of the referendum. The discharge of these responsibilities could take from four to six weeks (see para. 75 below). Thereafter, the United Nations will require a further period of four weeks to effect the withdrawal of its personnel and equipment from the Territory. MINURSO's presence in the Territory is thus expected to last for up to 35 weeks from the coming into effect of the cease-fire, subject to the authority given to the Special Representative to determine whether circumstances require any alteration in the timing of the referendum (see para. 47 (j) above).

V. CEASE-FIRE

51. When the Security Council has authorized the establishment of MINURSO, the Secretary-General will address identical letters to Morocco and Frente POLISARIO proposing a date and time ("D-Day") for the entry into force of the cease-fire. On D-Day the parties will cease all military operations, including troop movements (except as required or permitted under paras. 54 to 57 below) and any strengthening of positions. The date proposed for D-Day will be approximately 14 weeks after the date of the dispatch of the Secretary-General's letters. This timing is dictated by the need to ensure that the Military Unit of MINURSO which will monitor the parties' compliance with the cease-fire will be effectively deployed throughout its area of operations by the time the cease-fire comes into effect.

52. In his letters, therefore, the Secretary-General will ask the parties to confirm in writing by a specified date that they accept both the terms of the cease-fire and the date and time proposed. The parties will also be asked to undertake to refrain from any act which could lead to hostilities during the period between their acceptance of the cease-fire and its coming into effect.

53. After the cease-fire has come into effect, the Military Unit of MINURSO will report any violation thereof immediately to the Special Representative. The Special Representative will take the matter up with the party or parties concerned and, as necessary, report to the Secretary-General, who may bring the violation to the attention of the Security Council for such action as the Council may think fit.

VI. MOROCCAN MILITARY PRESENCE

54. To permit the holding of a referendum without military constraints, Morocco has agreed to make an appropriate, substantial and phased reduction of its troops in the Territory during the transitional period, to a level acceptable to the Secretary-General. This reduction will be effected within a period of 12 weeks beginning on D-Day. At the end of the 12-week period the Military Unit of MINURSO will verify that the Moroccan troop strength in the Territory does not exceed the accepted level.

VII. CONFINEMENT OF EACH PARTY'S COMBATANTS TO AGREED LOCATIONS

55. One week before D-Day each party will inform the Secretary-General of the strength and location of its military forces. With effect from D-Day the troops of each party, together with their arms and military equipment, will be confined to the locations described in paragraphs 56 and 57 below, plus any additional locations which may be determined by the Special Representative after consulting the parties. The troops' confinement to these locations will be monitored by the Military Unit of MINURSO. No movement outside the agreed locations will be permitted except for the purpose specified in paragraph 54 above or for routine logistic purposes or rotation, for which the authority of the Military Unit of MINURSO will be required in each case. The Special Representative will deal with

any violation of the agreed arrangements in the manner described in paragraph 53 above.

56. The Moroccan troops remaining in the Territory will, with the exceptions mentioned in this paragraph, consist only of troops deployed in static or defensive positions along the sand wall constructed by Morocco close to the eastern and southern frontiers of the Territory. All intervention forces and artillery units will have been withdrawn, as will all Moroccan air force units previously used for interdiction and offensive operations. The only exceptions to these arrangements will be:

(a) Certain logistic and support units required to support the Moroccan troops deployed along the sand wall, and not exceeding a level acceptable to the Secretary-General, will remain deployed at their present locations at Laayoune, Dakhla and Smara; they will not, however, carry weapons in the towns or circulate there in uniform, whether on or off duty;

(b) The Moroccan air force will continue to provide meteorological services, air traffic control and radio communications within the Territory but will retain only those aircraft that are essential for the logistic support of the Moroccan troops remaining in the Territory;

(c) The Moroccan navy will continue to perform such tasks as coastal patrolling.

All the above activities will be closely monitored by the Military Unit of MINURSO.

57. Frente POLISARIO troops will be confined to locations to be designated before D-Day by the Special Representative and their activities will be closely monitored by the Military Unit of MINURSO. In this regard, the Governments of Algeria and Mauritania have indicated their readiness to co-operate with the Special Representative.

VIII. ORGANIZATION AND CONDUCT OF THE REFERENDUM

58. In the settlement proposals the parties recognize that sole and exclusive responsibility for the organization and conduct of the referendum is vested in the United Nations. They have thus accepted the authority of the Organization to take the legislative and administrative steps necessary to accomplish this purpose. The Secretary-General will issue regulations to be given effect in the Territory by all concerned which essentially embody the relevant provisions of the settlement proposals agreed to by the parties. Additionally, these regulations will authorize the Special Representative, and relevant components of MINURSO acting with his consent, to issue rules and instructions, consistent with the regulations, which give detailed effect to the regulations. The regulations, rules and instructions will provide the fundamental basis for the organization and conduct of the referendum and will thus, to the extent of any incompatibility, prevail over existing laws or measures in force in the Territory.

59. The responsibility of the United Nations in respect of the referendum can be divided into three main areas:

(a) The identification and registration of those eligible to vote;

(b) The establishment of the conditions and modalities for a referendum campaign in which freedom of speech, assembly, movement and the press are guaranteed;

(c) The conduct of the voting in a manner permitting participation by all eligible voters, without interference or intimidation, and ensuring the secrecy of the ballot.

A. Identification Commission

60. To assist the Special Representative in fulfilling his responsibilities with regard to the identification and registration of those eligible to vote, the Secretary-General will appoint and issue terms of reference for an identification commission, including demographic experts, in whose work the parties and the representatives of OAU will, as appropriate, participate as official observers. The tribal chiefs of Western Sahara will also meet with the Identification Commission to contribute to its work.

B. Identification and registration of voters

61. Under the terms of the settlement proposals the Identification Commission will implement the agreed position of the parties that all Western Saharans counted in the 1974 census undertaken by the Spanish authorities and aged 18 years or over will have the right to vote, whether currently present in the Territory or outside as refugees or for other reasons. The Identification Commission, which may set up Sub-Commissions to discharge its functions in the various registration districts into which the Territory and the refugee camps will be divided, is required to update the census to provide a current basis for issuing lists of qualified voters.

62. At various stages of its work the lists prepared by the Commission will be published in the Territory and outside in areas where refugees and other Western Saharans are gathered and arrangements made for challenges to the inclusion or exclusion of any names. Any person identified as qualified to vote will at the same time be issued with a voter registration card. When the Commission has completed its compilation of the lists of those eligible to vote they will be submitted to the Secretary-General, through the Special Representative, for consideration in consultation with the current Chairman of OAU. Final lists will be issued when these are authorized by the Secretary-General. It is envisaged that the Identification Commission will complete its work before the beginning of the referendum campaign, that is by D-Day plus 18 weeks.

C. Referendum Commission

63. To assist the Special Representative in all other aspects of the organization and conduct of the referendum, the Secretary-General will appoint and issue terms of reference for a referendum commission. The Commission may establish Sub-Commissions to undertake particular responsibilities, and may co-opt as members experts in the particular subjects assigned to the Sub-Commission concerned. As in the case of the Identification Commission, representatives of the parties and of OAU will be associated with the work of the Commission and its Sub-Commissions in the capacity of official observers. In view of its responsibilities to advise on the day-to-day planning of the referendum, the Referendum Commission should commence its work as soon as possible after the Security Council has authorized the establishment of MINURSO.

D. Referendum campaign

64. As far as the establishment of the conditions and modalities for the conduct of the referendum campaign are concerned, the Referendum Commission will advise the Special Representative on the measures necessary to ensure a referendum that is free and fair, without military or administrative constraints. Such measures would include those necessary to:

(a) Guarantee freedom of movement, the security of the population and freedom of speech, assembly and the press;

(b) Permit the organization and holding of political meetings, rallies, demonstrations and marches;

(c) Publicize through available and appropriate media the issues regarding the referendum and points of view of the population;

(d) Facilitate the peaceful return to the Territory of all persons eligible to vote in the referendum;

(e) Deal with complaints that the provisions of the settlement proposals, or of the referendum regulations, or the rules or instructions issued pursuant thereto, have not been complied with;

(f) Ensure that law and order is maintained in the Territory for purposes of the referendum process through the monitoring of existing police activities and the deployment of the MINURSO Security (Civil Police) Unit and that no one can resort to intimidation or interfere in the referendum process.

E. Referendum

65. As far as the actual conduct of the referendum is concerned, the Referendum Commission will advise the Special Representative on matters such as:

(a) The date of the referendum;

(b) The requirements for polling stations, ballot boxes and ballot forms;

(c) The manner and conduct of voting;

(d) The association of the official observers from the parties and the representatives of OAU with the voting process;

(e) The tally of the voting and the issuance of the results of the voting;

(f) The lodging of any petitions concerning the results of the voting;

(g) The definition and determination of offences relating to the referendum and their consequences.

66. In the performance of their functions the Identification Commission and the Referendum Commission will prepare any rules or instructions of the nature outlined in paragraph 58 above that are necessary to give effect to their recommendations and which, after approval by the Special Representative, will be issued and put into effect by all concerned.

IX. OTHER RESPONSIBILITIES OF THE SPECIAL REPRESENTATIVE DURING THE TRANSITIONAL PERIOD

67. In addition to his direct responsibility for the organization and conduct of the referendum itself, the Special Representative will also be required to satisfy himself that the necessary conditions are otherwise met in order to guarantee the organization of a free and fair referendum. He will accordingly monitor closely the manner in which the authorities involved carry out their day-to-day responsibility for other aspects of the administration of the Territory during the transitional period. If he concludes that any steps or measures would conflict with the agreed objective of holding a free and fair referendum to enable the people of Western Sahara to determine their future without military or administrative constraints, he will bring the matter to the attention of those concerned with a view to an amicable settlement. Should any differences persist the Special Representative will report the matter to the Secretary-General for such action as the Secretary-General may think fit.

68. The Special Representative will pay special attention to the arrangements made for the maintenance of law and order during the transitional period. In this respect, it is envisaged in particular that the Special Representative will have exclusive authority in all United Nations premises connected with the referendum and in their immediate vicinity, such as voter registration offices and polling stations. This authority would include the maintenance of law and order in such premises, the Special Representative being provided with United Nations civil police for this purpose. Such civil police, in cases of emergency, could call upon the Military Unit of MINURSO to render assistance to them. In other areas, the activities of the existing police forces will be closely monitored by the Security (Civil Police) Unit of MINURSO.

69. Before the beginning of the referendum campaign, the neutralization of the paramilitary units in the existing police forces (the "mobile action companies" and "auxiliary forces") will be carried out through the deposit of their weapons, ammunition and military equipment in armouries where their safe custody will be monitored by the Military Unit of MINURSO.

X. RELEASE OF POLITICAL PRISONERS AND SUSPENSION OF LAWS WHICH MIGHT IMPEDE A FREE AND FAIR REFERENDUM

70. The Special Representative will take steps with the two parties to ensure the release, before the beginning of the referendum campaign, of all Western Saharan political prisoners or detainees and to this end an amnesty is envisaged as the first stage. In this work he will be assisted by an independent jurist appointed by the Secretary-General. Any difference concerning the release of political prisoners or detainees will be settled in a manner satisfactory to the Special Representative.

71. Before the beginning of the referendum campaign, the Special Representative will ensure that the authorities involved suspend any law or measure which, in his judgement, could obstruct the conduct of a free and fair referendum and which would not otherwise be superseded by the regulations, rules and instructions referred to in paragraph 58 above.

XI. RETURN OF REFUGEES, OTHER WESTERN SAHARANS AND MEMBERS OF FRENTE POLISARIO ENTITLED TO VOTE

72. Following the completion of the work of the Identification Commission, all refugees who have been identified as having the right to vote in the referendum and who have expressed the wish to return to the Territory will be enabled to do so, together with their immediate families, through a programme organized by UNHCR. The Special Representative will designate a number of points at which returnees will be able to cross into the Territory. Security at these crossing-points and at reception centres established by UNHCR will be provided by the Military Unit of MINURSO. The Special Representative will also take such steps as may be necessary to ensure that the returnees will be able to take part in the referendum, without restriction or risk of being arrested, detained, intimidated or imprisoned. To this end they will be granted a general and complete amnesty.

73. Likewise, other Western Saharans, not refugees but resident outside the Territory, who are found eligible to vote by the Identification Commission, will be permitted to return to the Territory, together with their immediate families. It is the Secretary-General's intention to ask the High Commissioner for Refugees to extend his good offices to these Western Saharans and to assume responsibility for their voluntary repatriation from designated locations in neighbouring countries.

74. Frente POLISARIO combatants found eligible to vote who wish to take part in the referendum will be enabled to return, peacefully and without arms or uniforms, together with their immediate families, in accordance with the arrangements described in the two preceding paragraphs, including the amnesty. The arms, ammunition and military equipment of returning Frente POLISARIO combatants will be deposited at the locations referred to in paragraph 57 above where their safe custody will be monitored by the Military Unit of MINURSO. The disposition of these arms, ammunition and equipment will be decided after the results of the referendum are known.

XII. PROCLAMATION OF THE REFERENDUM RESULTS

75. The results of the referendum shall be proclaimed as indicated in paragraph 47 (j) above. If the decision is for independence, the withdrawal of all remaining Moroccan troops will begin within 24 hours and will be completed within 6 weeks. The withdrawal will be monitored by the Military Unit of MINURSO. If the decision is for integration with Morocco, the demobilization of any Frente POLISARIO troops who have not returned to take part in the referendum will begin within 24 hours of the proclamation of the result and will be completed within 4 weeks, under the monitoring of the Military Unit of MINURSO.

76. As soon as the results of the referendum have been proclaimed, the Special Representative will begin to reduce United Nations personnel in Western Sahara. The Special Representative and his remaining civilian and military staff will complete their withdrawal as soon as possible after all the tasks assigned to them by the Security Council have been satisfactorily carried out.

XIII. COMPOSITION AND TASKS OF THE UNITED NATIONS MISSION FOR THE REFERENDUM IN WESTERN SAHARA

77. The Secretary-General has defined the tasks of the three units (civilian, military and security) that are provided for in the settlement proposals, and which will make up MINURSO, in the light of the responsibilities of the United Nations described above.

A. Civilian Unit

78. The Civilian Unit, which is central to the operation, will comprise the office of the Special Representative and his support staff in fields such as administration, legal and legislative matters, questions relating to refugees and political detainees, information and public relations. In addition, a major part of the Civilian Unit will be responsible for the organization and conduct of the referendum. The Unit will consist largely of officials of the United Nations. It is hoped, however, that a significant number of personnel, especially personnel directly concerned with the organization and conduct of the referendum, will be made available by Governments at the Secretary-General's request.

B. Security Unit

79. The Security Unit will be made up of civil police. Their task will be:

(a) To ensure tranquillity and maintain law and order in the vicinity of, and at, voter registration offices and polling stations, to ensure that no person is denied entry for the purposes of registration or voting and, when specifically so ordered, to maintain order at other locations where activities in connection with the referendum, under MINURSO auspices or authority, are taking place;

(b) To monitor the activities of the existing police forces so as to ensure that they are acting in strict accordance with the settlement proposals and the present implementation plan, which are intended to secure the organization of a free and fair referendum without military or administrative constraints and to prevent any possibility of intimidation or interference from any quarter.

80. The Security Unit will be commanded by a Police Commissioner appointed by the Secretary-General. The members of the Unit will be provided by Governments, at the request of the Secretary-General. Its terms of reference, which will be drawn up on the authority of the Secretary-General, will define the circumstances under which members of the Civil Police Unit may in the course of their duties take offenders into custody, and the procedures to be followed thereafter. The terms of reference will also spell out the monitoring responsibility of members of the Security Unit and the procedures they are to follow in submitting the details of any infractions involved to the Special Representative for action.

C. Military Unit

81. The tasks of the Military Unit will be:

(a) To monitor the cease-fire;

(b) To verify the agreed reduction in troops;

(c) To monitor the confinement of troops of both sides to agreed locations;

(d) To monitor the custody of certain arms and ammunition;

(e) To provide security for the return of Western Saharans from outside the Territory at designated crossing-points and at UNHCR reception centres;

(f) To assist the Security Unit, as required;

(g) Depending on the results of the referendum, to monitor the activities described in paragraph 75 above.

82. To perform the above tasks the Military Unit will require military observers, infantry, an air unit and other logistics personnel. It will be under the command of the United Nations, vested in the Secretary-General, under the authority of the

Security Council. The command in the field will be exercised by a force commander appointed by the Secretary-General after consultation with the parties and with the consent of the Security Council. The Force Commander will report to the Secretary-General through the Special Representative. The normal rules in United Nations peace-keeping operations for the bearing and use of arms will apply. The Secretary-General will report regularly to the Security Council on the functioning of the Military Unit, as on the other activities of MINURSO. The military personnel of MINURSO will be contributed by States Members of the United Nations, at the request of the Secretary-General, who will consult the parties and obtain the Security Council's approval of the composition of the Military Unit.

XIV. OBSERVATIONS

83. The present report is presented to the Security Council in pursuance of paragraph 2 of resolution 621 (1988) in which the Security Council requested the Secretary-General to transmit to it as soon as possible a report on the holding of a referendum for self-determination of the people of Western Sahara and on ways and means to ensure the organization and conduct of such a referendum by the United Nations in co-operation with OAU. I believe that the implementation plan contained in the present report provides an effective means of holding such a referendum and permitting the people of Western Sahara to determine their future without military or administrative constraints. I accordingly commend it to the Security Council for such action as the Council may think appropriate in order to facilitate its implementation at the earliest possible date.

84. It will be clear from the present report that the United Nations operation in Western Sahara will be large and complicated. There are at present unknown factors and it is not possible at this stage to present to the Council even a preliminary estimate of what the cost will be. It is therefore my intention to dispatch, in the immediate future, a technical mission to the Territory and to neighbouring countries to refine the administrative aspects of the plan outlined in the present report and to obtain the information, especially information about the availability of logistic supplies and support in the Territory, which is required to prepare a further report to the Security Council containing an estimate of the cost of MINURSO, and, in due course, a detailed budget for submission to the General Assembly.

85. It will be my intention, when submitting the further report to the Security Council, to recommend that it authorize the immediate establishment of MINURSO for purposes described in the present report. At the same time, I shall recommend that, if the Council decides to set up MINURSO, its costs should be considered as expenses of the Organization to be borne by the Member States in accordance with Article 17, paragraph 2, of the Charter. I would intend to recommend to the General Assembly that the assessments to be levied on Member States be credited to a special account that would be established for this purpose.

UNITED
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Security Council

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GENERAL

S/21361
15 June 1990
ENGLISH
ORIGINAL: FRENCH

NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

At the 2928th meeting of the Security Council, held on 15 June 1990, in connection with the Council's consideration of the item "The situation in Cyprus", the President of the Security Council made the following statement on behalf of the members:

"The members of the Security Council recall Security Council resolution 649 (1990) and other relevant resolutions. They express again their regret that, in the more than 25 years since the establishment of the United Nations Peace-keeping Force in Cyprus (UNFICYP), it has not been possible to achieve a negotiated settlement for all aspects of the Cyprus problem. They reiterate their full support for the current effort of the Secretary-General in carrying out his mission of good offices concerning Cyprus.

"The members also recall the statement of the President of the Security Council of 30 May 1990 (S/21323) on United Nations peace-keeping operations. They reiterate their view expressed in that statement that peace-keeping operations must be launched and maintained on a sound and secure financial basis. They therefore express their concern at the chronic and ever-deepening financial crisis facing UNFICYP, as described in the Secretary-General's report and in his letter of 31 May 1990 (S/21351) addressed to all States Members of the United Nations and they support his appeal for financial contributions which would enable UNFICYP to continue to carry out the functions for which it was established."

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19 June 1990
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GENERAL ASSEMBLY
Forty-fourth session
Agenda item 39
QUESTION OF PALESTINE

SECURITY COUNCIL
Forty-fifth year

Letter dated 15 June 1990 from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People addressed to the Secretary-General

In my capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I wish to express outrage at the incursion by the Israeli army into the Rimal Health Centre in Gaza City and its use of tear-gas, which seriously affected a large number of infants and women.

According to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (press release HQ/8/90, dated 13 June 1990), on 12 June, an Israeli army officer, who was pursuing stone-throwers, fired two tear-gas cannisters into the Rimal Health Centre. As a result, some 160 infants were overcome by tear-gas fumes and had to be given emergency treatment. Reuters reported, on 13 June, that the Israeli army had sentenced the officer in question to 10 days in prison.

On behalf of the Committee, I wish to protest in the strongest terms the tendency on the part of the Israeli army to turn on children of ever younger ages in its efforts to suppress the intifadah through random brutality and intimidation of the civilian population. Only a week ago, on 5 June, Agence France Presse reported that two children, aged 7 and 14 respectively, were shot and killed in Nablus. Since the beginning of the intifadah, at least 209 children under 16 have been killed and hundreds of others wounded.

These policies and practices demonstrate yet again that Israel attaches little importance to the obligations incumbent upon it, as occupying Power, under the Geneva Convention relative to the Protection of Civilian Persons in Time of War, particularly to articles 24, 28 and 50 which provide for the legal protection of children. They are also in violation of the Convention on the Rights of the Child of 20 November 1989, which states that children shall enjoy special protection and care.

Deeply alarmed at the extreme gravity of the situation in the occupied Palestinian territory, which is exacerbated by the intransigence of the Israeli Government, the Committee on the Exercise of the Inalienable Rights of the Palestinian People calls once again for the urgent adoption of effective measures by the Security Council to provide international protection to Palestinian civilians, as requested by the General Assembly in resolutions 43/233 and 44/2 of 20 April and 6 October 1989 respectively. The Committee also appeals to you, and to the organizations of the United Nations system, to do everything possible to alleviate the suffering of the defenceless Palestinian civilians living under occupation, especially the women and children.

The Committee wishes to stress once again that it is absolutely imperative to advance towards a comprehensive and just settlement of the question of Palestine in accordance with General Assembly resolution 44/42 of 6 December 1989, and again appeals to all parties concerned to intensify their efforts to attain this essential objective.

I should be grateful if you would have this letter circulated as an official document of the forty-fourth session of the General Assembly, under agenda item 39, and of the Security Council.

(Signed) Absa Claude DIALLO
Chairman
Committee on the Exercise
of the Inalienable Rights
of the Palestinian People

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Security Council

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S/21363
19 June 1990
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NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

On 19 June 1990, following consultations, the President of the Security Council issued the following statement on behalf of the members of the Council:

"The members of the Security Council strongly deplore the incident, which occurred on 12 June 1990 in a clinic belonging to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and located near to Shati camp in Gaza, in which several innocent Palestinian women and children were wounded by a tear-gas grenade thrown by an Israeli officer.

"The members of the Security Council are dismayed to find that the penalty imposed on that officer has been commuted.

"They reaffirm that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem, and request the High Contracting Parties to ensure respect for the Convention.

"They call upon Israel to abide by its obligations under that Convention."

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General Assembly Security Council

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S/21364
21 June 1990

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GENERAL ASSEMBLY
Forty-fifth session
Item 32 of the preliminary list*
THE SITUATION IN KAMPUCHEA

SECURITY COUNCIL
Forty-fifth year

Letter dated 19 June 1990 from the Permanent Representative of Cambodia to the United Nations addressed to the Secretary-General

Upon the instructions of my Government, I should be most grateful if you would arrange for the letter dated 30 May 1990, signed by Prime Minister Son Sann of the National Government of Cambodia, Vice-President Khieu Samphan in charge of Foreign Affairs, and His Royal Highness Prince Norodom Ranariddh, Personal Representative of His Royal Highness Samdech Norodom Sihanouk, and which was transmitted to you by telefax on the following day, to be circulated as a document of the General Assembly, under item 32 of the preliminary list, and of the Security Council (see annex).

(Signed) THIOUNN Prasith
Permanent Representative

* A/45/50.

ANNEX

Letter dated 30 May 1990 from the Prime Minister of Cambodia, the Vice-President of Cambodia in charge of Foreign Affairs and the Personal Representative of Samdech Norodom Sihanouk

We would like first to express on behalf of the National Government of Cambodia and on our own behalf our renewed deep gratitude to you for your compassion for the Cambodian people and your tireless efforts in trying to bring about a comprehensive political settlement in Cambodia.

We have the honour to inform you that the three components of the National Government of Cambodia fully support the Summary of Conclusions of the five permanent members of the United Nations Security Council at the end of the fourth in their series of meetings on Cambodia, held on 25 and 26 May in New York. We consider it as the basis for a comprehensive political settlement to the conflict in Cambodia, for which we are grateful to the five.

We are of the same views expressed in the Summary of Conclusions that "only a comprehensive political settlement will bring lasting peace and stability to Cambodia".

We would also like to extend through you our deep appreciation for the work of your staff, especially Rafeeuddin Ahmed, the United Nations Under-Secretary-General, who under your guidance have played an important role and have provided a significant contribution in preparing the groundwork for the role to be assumed by the United Nations. In this respect, we continue to support your call for "a well-defined, realistic and practicable" mandate of the United Nations in Cambodia.

(Signed) SON SANN
Prime Minister
of the National
Government of
Cambodia

(Signed) KHIEU SAMPHAN
Vice-President of
Cambodia in charge
of Foreign Affairs

(Signed) Norodom RANARIDDH
Personal Representative
of HRH
Samdech Norodom Sihanouk

UNITED
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Security Council

Distr.
GENERAL

S/21365
21 June 1990
ENGLISH
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NOTE VERBALE DATED 20 JUNE 1990 FROM THE PERMANENT MISSION OF CUBA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of Cuba to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to transmit, herewith, the reply of the International Frequency Registration Board of the International Telecommunication Union (ITU) to the Department of State of the United States Government concerning the illegal television broadcasts which that Government is directing against Cuba.

I should be grateful if you would make arrangements to have this letter and its annex issued as a document of the Security Council.

Annex

Reply of the Board to the Department of State
of the United States of America

Co-ordinator and Director of the International Bureau for Communications and
Information Policy of the United States, Department of State
Washington, D.C. 20520

Subject: TV broadcasts directed at Cuba

Reference: Letter from the Board 22(PRD)/0.0082/90 of 12 January 1990

Telefax from the Board 22B 1107AO (PRD)/0.0710/90 of 2 April 1990

Your letter sent by telefax dated 16 April 1990

Your letter dated 3 May 1990

Sir:

On behalf of the International Frequency Registration Board I wish to acknowledge receipt of your letter, dated 16 April 1990 addressed to each individual member of the Board, which the Board has considered.

The Board wishes to draw your attention to the following points:

(1) The essential obligations of the Board as listed in article 10 of the International Telecommunication Convention (Nairobi 1982) clearly are not the obligations of the Board, as can be seen from article 80 of the Convention which provides for the execution of any additional task relating to the assignment and utilization of frequencies in accordance with the procedures provided for that purpose in the Radio Regulations. It is evident from Rules 1438 and 1442 of the Regulations that the Board will, if so requested by any Administration, investigate cases of alleged violation or non-observance of the Radio Regulations or of harmful interference.

(2) The telephone conversation between the Chairman and officials of your Department and the discussions with a representative of the United States Mission on 27 March 1990, were not considered to be formal replies to the Board's telefax of 2 April 1990. You will understand that the Board must keep official records of this case in accordance with RR 1016 so that it can make them available under RRH 58 in case any member of the Union wishes to invoke article 50 of the ITU Convention (Nairobi 1982).

(3) Your letter dated 27 February concerning a medium-wave station refers to very different circumstances and could not be considered by the Board as in any way constituting a reply to the Board's letter of 12 January 1990.

Furthermore, the notification form for the registration of Cudjoe Key station submitted with no covering letter - by a representative of the United States Mission to the Chairman - can hardly be called a normal reply to a formal letter.

(4) The exceptional height of the effective antenna with a power of 45.2 dBw means that the distance at which the frequency may be re-used is much greater than normal and is not compatible with the standard land practices on VHF and UHF bands. With regard to time-sharing, this is normally achieved by agreement between the administrations concerned. However, in this case, the hours of operation recorded in the Master International Frequency Register for CD-DE LA HABANA, are 0000-2400 hours and there is no possibility of time-sharing without the agreement of the Cuban administration.

(5) The Board is aware that there are numerous instances throughout the world of stations that use frequencies outside the 3900 to 4000 kHz and 5068 kHz to 41 MHz bands without fully complying with the provisions of RR 2666, but in most cases this is permitted by the administrations concerned; in many cases, these exceptions have been included in regional agreements.

It is the Board's view that, in general, it is up to the administrations concerned to comply with the limitations imposed in RR 2666; however, in the event of an objection, the Board is required to conduct an investigation with regard to this provision.

The Board wishes to reaffirm the views it expressed in its telefax dated 2 April 1990, namely, that station Cudjoe Key is operating in violation of article 158 of the ITU Convention (Nairobi 1982) and of Rules 340, 342 and 2666 of the Radio Regulations.

The Board again requests that you take prompt action to eliminate this harmful interference.

UNITED
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Security Council

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S/21366
21 June 1990
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Note verbale dated 20 June 1990 from the Permanent Mission of Cuba to the United Nations addressed to the Secretary-General

The Permanent Mission of Cuba to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to enclose a copy of the editorial published on 19 June 1990 in the newspaper Granma, the official organ of the Central Committee of the Cuban Communist Party, entitled "Can Bush certify that TV Martí is legal, moral and technically viable?".

The Permanent Mission would be grateful if the necessary arrangements could be made for this note and its annex to be circulated as a document of the Security Council.

Annex

Can Bush certify that TV Martí is legal, moral and technically viable?

George Bush is faced with a dilemma: either accept that he was wrong or lie.

The choice does not have to be difficult. He would not be the first United States politician to be wrong, nor the last to retract an earlier statement. His personal ethics would be saved and reason would prevail.

The controversy over TV Martí has arisen because, at the end of the three-month trial period, the President must certify to the Congress the feasibility of the project, before it can become permanent and the funds allocated for 1990 can be released.

Given the nature and the implications of the debate, the question which experts everywhere are asking is what will the President say. Opinion is divided.

Some say that, if one looks at the facts, the answer should not be difficult. TV Martí is not watched in Cuba. It has been declared illegal by the International Frequency Registration Board. World disapproval could not be any greater, and the Cuban public is either opposed or indifferent to the broadcasts.

Those who think differently argue that the fate of the project is a foregone conclusion since policy towards Cuba is so rigid and hardened by ideology that there is no room for realistic thinking and since the President has domestic policy commitments that influence his decision.

So-called TV Martí began transmitting on 27 March, after Cuba had declared it to be illegal and had secured support from such important forums as the meetings of the Ministers for Foreign Affairs and Ministers of Information, the summit meeting of Non-Aligned Countries and the meetings of Latin American Ministers of Culture and Information. The violation of Cuban national sovereignty which the project entails was brought to the attention of the United Nations General Assembly and Security Council in a timely fashion.

In the preliminary stages, between 1987 and 1990, our country explored virtually every political and diplomatic avenue in seeking to dissuade the United States Government from embarking upon such an undertaking.

Domestically, a consistent effort was made to clarify our position.

On the basis of political, legal, technical and cultural arguments it was possible to establish the real intentions of the United States; these arguments met with the firm support of public opinion in Cuba, which responded with anger and outrage.

Cuba first discussed the issue in terms of sovereignty. Our opposition was not then and is not now based on a negative reaction to a foreign cultural and information product; rather it is based on the defence of sovereignty against an attempt to impose these broadcasts forcibly.

What right does the United States have to occupy a local Cuban television frequency and impose broadcasting designed especially for Cuban audiences for overtly diversionary purposes?

Nor is our opposition a knee-jerk rejection of American television programming, for the obvious reason that in point of fact TV Martí is not American television.

On the basis of these positions, which anyone can understand, Cuba carried the matter even further and, there is virtually no channel that our country has not used to express its readiness to negotiate and reach viable agreements for the normalization of exchanges of programmes and broadcasts with public or private bodies in the United States, something which has been hindered for three decades by the United States-imposed blockade. Silence has been the only response.

Reason was of no avail, and on 27 March the battle shifted to the technical plane. Barely ten minutes after the start of the first day of broadcasting, steps were taken to jam the broadcasts and for 84 days the monotonous routine has been repeated every morning. The broadcasts begin and are immediately jammed, and the political and diplomatic battle has gone from dissuasion to denunciation and condemnation.

Once again, organizations, parliaments and political leaders, religious communities and individuals the world over, including in the United States, have supported Cuba's just position.

For many, the affair is an unprecedented event in which a small third world country is prevailing over the most powerful nation on Earth in the technological field; for others, it represents behaviour worthy of inclusion in the annals of obstinacy. The United States persists, and no one knows how much ridicule it will bring down on its engineers and technicians and how long such a dispiriting exercise will occupy energies and talent that could be put to better use.

A project of such extravagance and dubious effectiveness could have been abandoned a long time ago, since for reasons unrelated to jamming by Cuba, technical difficulties forced TV Martí off the air on 32 of the 84 days of operation.

This means that, operating in nearly ideal weather and broadcasting conditions, around 50 per cent of the broadcasts were affected by serious difficulties.

In the United States, for obvious reasons, the sponsors of the project, together with its promoters and their henchmen, have developed a vast campaign designed to mislead public opinion and even sectors of Congress and parts of the

Administration, emphasizing the supposed success of the televised aggression against Cuba.

The campaign was started by Dante Fascel and Connie Mack, legislators from Florida, who, several days after the transmissions were initiated, publicized the false rumour about the success of the United States operation throughout Cuba.

The contra-revolutionary radio stations broadcasting from Miami against Cuba, Radio Martí and the circles related to the super-reactionary Fundación Nacional Cubano-Americana (National Cuban-American Foundation), supported this version.

In order to strengthen the credibility of the lies which had been circulated, it was announced that a survey had been conducted in Miami among persons coming from Cuba and a similar inquiry was carried out by the Interests Section of the United States in Havana among persons visiting that office to apply for visas.

Although such inquiries are useless and totally unrepresentative, they have been presented as elements of proof.

Certainly, their obvious lack of serious intentions does not make them any the less useful for the purposes of the disinformation campaign.

According to the audience survey of TV Martí conducted in Miami, more than 28 per cent of the homes in the three western provinces of Cuba receive the TV Martí signal for between five minutes and three hours every day.

Such an assertion is a lie and can only be made outside of Cuba. The population of these Cuban provinces knows the truth.

Those who prepared the report for President Bush could not be influenced by the efforts made by Cuba to establish the truth. These efforts included verification on the spot of the effectiveness of the TV interference by journalists, academicians and legislators. More recently the whole of the diplomatic corps accredited to Havana was convened to watched TV Martí. But the challenge was not accepted. On that day TV Martí decided not to transmit to Cuba.

It may be that no credence is given to the opinion of those very persons who certified what they had seen or rather what they had not seen. It may be that the opinion of the technicians who are operating a technically dubious project are also disregarded. It may be that no account is taken of the constructive position of the Cuban authorities, who so far have adopted defensive measures which involve the interior of our territory and which are legally irreproachable.

Greater weight and influence are perhaps attributed to the internal political commitments acquired by the President of the United States before the initiation of this project.

The domestic political promises to which we are referring are not, as may be thought, important platforms of agreements between distinct forces with a real influence in the political life of the United States but rather a euphemism designed to hide an obscure and dubious chapter in domestic politics.

This project is really a conspiracy concocted in the days when Bush was still Vice-President and with the connivance of one of his sons, which began with more aspirations than merits in the local politics of Florida.

Jeb Bush, the son of the President, is the only visible connection between the President and the elements of the National Cuban-American Foundation, who are cleverly exploiting their personal and business links with the President's son and using the influence of the Cuban counter-revolutionaries in the local politics of Miami. They have succeeded in gaining access to the ruling circles of the United States in a way that is totally out of proportion with their actual influence in the national life of the United States.

George Bush is free, of course, to choose his friends and to decide to whom he is going to open the doors of the White House. What is obvious, however, is that he feels himself comfortable and at home with mercenaries and opportunists.

For reasons similar to those which explain the conduct of the President's son, namely, the desire to play politics and to gain the Cuban vote, the Florida legislators have influenced these elements and have encouraged them to adopt a certain belligerent attitude in Congress.

The only contribution of the Cuban-American Foundation is to have exported to the United States the political practices of republican Cuba. We thus can perceive curious similarities between the local politics of Florida and the habitual vices which occur in what the Americans themselves scornfully call "the banana republics".

Many United States politicians, academicians, journalists and legislators in other regions are reluctant to believe that such doubtful ingredients are capable of influencing a presidential decision, which will inevitably have a negative impact on the foreign policy of a country towards a significant strategic area like Latin America.

The contents of the presidential message will depend on the advice of the National Security Council and the opinion of the President himself and on whether he will act with impartiality or not and listen to all the parties involved, including of course Cuba, whose voice will not be heard.

The parties are in this case the professionals of the Department of State, the United States Information Agency, the Voice of America and other agencies who, acting responsibly, appreciate the illegality of the project, its doubtful technical efficiency, the level of opposition that it has stirred up and the high political cost it may involve not only because of the aggravation of the bilateral dispute but in general because of its effect on relations with Latin America.

It will also be necessary to take into account the opinion of important members of Congress who have opposed the venture.

Other important elements to be considered are the opinions of distinguished figures in the academic world and also those of officials in the Interests Section in Havana, who in any case are on the spot and, however partial their reports, cannot ignore reality.

In any case, the United States has a new opportunity to show that the present Administration has a minimum of common sense and political realism. For this purpose, it has only one alternative: to stop the transmissions.

Cuba expects nothing from the President of the United States. It does not consider him to be a Roman emperor who can condemn the gladiators to death by the mere inclination of his finger.

We shall go forward. We shall firmly defend our sovereignty. We shall not allow the imposition on Cuba of an electronic Platt amendment. We shall finally overcome the unsolved problem of Radio Martí.

In the final analysis, it is the United States taxpayers - the innocent supporters of the first television station which transmits an invisible signal - who will soon be victims of this swindle.

It is they who must now be asked: can Bush certify that TV Martí is legal, moral and technically viable?

We can anticipate that he will reply in the affirmative and even will swear it with his hand on the Bible. Faithful to himself, George Bush is capable of doing so, even though he well knows that the project of an anti-Cuban television station is illegal, immoral and invisible.

Granma, 19 June 1990

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General Assembly Security Council

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21 June 1990

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-fourth session
Agenda item 47
QUESTION OF CYPRUS

SECURITY COUNCIL
Forty-fifth year

Letter dated 21 June 1990 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to submit, enclosed herewith, a letter addressed to you by His Excellency Mr. Özer Koray, Representative of the Turkish Republic of Northern Cyprus, in connection with the debate that took place in the Security Council on 15 June 1990 on the subject of the renewal of the mandate of UNFICYP.

I should be grateful if the present letter and its annex were circulated as a document of the forty-fourth session of the General Assembly, under agenda item 47, and of the Security Council.

(Signed) Mustafa AKSIN
Ambassador
Permanent Representative

ANNEX

Letter dated 20 June 1990 from Mr. Özer Koray
addressed to the Secretary-General

At the debate in the Security Council that took place on 15 June 1990 in connection with the extension of the mandate of UNFICYP, the representative of the Greek Cypriots, Mr. Mavrommatis, took the floor after my statement and, in the exercise of his right of reply, made assertions and allegations which it is my duty, as the representative of the Turkish Republic of Northern Cyprus, to challenge.

First, I should like to remind Mr. Mavrommatis that questions regarding the substance of the Cyprus problem are to be addressed not to Turkey but to the Turkish Republic of Northern Cyprus, the counterpart of the Greek Cypriots with whom they will eventually have to come to terms to establish a partnership. To pretend that the Turkish Republic of Northern Cyprus does not exist, that the dispute is between the Greek Cypriots and Turkey, is to be oblivious to, and totally cut off from reality. A federation between Turkish Cypriots and Greek Cypriots will never come about if the Greek Cypriots cannot free themselves from the delusion under which they are labouring. Let me recall once again that, since 1963, when the Greek Cypriot onslaught on the island began, the differences have been between the two Cypriot peoples and it is they who will find a way out of these difficulties. This is made abundantly clear in resolution 649 (1990).

The wild figures cited by Mr. Mavrommatis in connection with the population of my country are so preposterous that they do not even warrant being refuted.

Mr. Mavrommatis also referred to Berlin and the lack of freedom of movement, presumably trying to compare Cyprus to the time when the wall divided Berlin. This is a completely false analogy.

Germany was a single nation which was divided against its will after the war on the basis of differing ideologies. Now that the ideological barriers are falling, the two Germanys are, by exercising their right to self-determination, taking steps to unite.

The division of Cyprus, which was once a partnership republic consisting of two nations, is the direct result of the violent takeover of the Government and administration of the country by the Greek Cypriots in 1963 in flagrant violation of the Constitution of Cyprus. If the two Cypriot peoples who have been administering their affairs separately for over 26 years should decide, in the exercise of their right of self-determination, to form a Federal Republic of Cyprus, then perhaps some parallel could be drawn between the two Germanys and the two Cypriot states.

I might mention, in this connection, that the Greek Cypriot television screened a Turkish film on 8 June. The film was not political. It was about a lonely woman. After the screening, telephone threats started coming to the

television station. Two of the largest Greek Cypriot political parties, DISI and DIKO, criticized the screening of this film. Various other organizations put out statements condemning the action. People demonstrated on the streets. If all this commotion over a Turkish film reflects the sentiments of the Greek Cypriots towards the Turkish Cypriots, is it credible to draw analogies between the division of Germany and the division of Cyprus?

The five men who were tried and convicted in my country crossed our border illegally, not to go to their birthplace as alleged by Mr. Mavrommatis, but to haul down and desecrate our flag. They were engaged in a hostile and highly provocative act, egged on by the Greek Cypriots who want no partnership with the Turkish Cypriots. They were courting arrest and trying to create tension on the island. They succeeded in doing that, and got short prison terms for their folly. In defending the provocative actions of these reckless men, Mr. Mavrommatis reveals the hollowness of his Government's claims about being moderate, being flexible and being desirous of forming a new partnership with the Turkish Cypriots.

Finally, let me comment about Mr. Mavrommatis' remarks on the subject of human rights. For 11 long years after 1963, the human rights of the Turkish Cypriots, and very often their right to life, were trampled on by the Greek Cypriots. It is only after our liberation in 1974 that we have been able to resume our peaceful lives in freedom and security. As one who has personally witnessed and suffered the cruel policies of the Greek Cypriots, I am inclined not to take Mr. Mavrommatis seriously when he suddenly starts lecturing on human rights.

(Signed) Özer KORAY
Representative of the Turkish Republic
of Northern Cyprus

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Forty-fifth session
Items 23 and 35 of the preliminary list*
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-fifth year

Letter dated 21 June 1990 from the Permanent Representative of Tunisia to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith, in my capacity as Chairman of the Arab group for the month of June, the text of a statement issued by the General Secretariat of the League of Arab States at Tunis on 21 June 1990 following the recent decision of the United States Government to break off its dialogue with the Palestine Liberation Organization.

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under items 23 and 35 of the preliminary list, and of the Security Council.

(Signed) Ahmed GHAZEL
Ambassador
Permanent Representative

* A/45/50.

ANNEX

Statement issued on 21 June 1990 by the General Secretariat of the League of Arab States

The United States decision to break off its dialogue with the Palestine Liberation Organization (PLO) does nothing to advance the international efforts being made for the achievement of peace in the Middle East. As might have been expected, it has also been interpreted in Israel as support for the extremist tendencies that reject all international efforts and initiatives, including the initiative of Mr. Baker, the United States Secretary of State.

The arguments advanced for the suspension of the dialogue do not convince anyone. The PLO, which enjoys wider international recognition than that accorded to Israel and which has affirmed that it is not responsible for the actions of which it has recently been accused, is internationally respected as an organization that carries responsibility for a legitimate struggle for the restoration of usurped rights. The international community is convinced that the PLO has rejected terrorism in all its forms and that it is engaged in a form of struggle that is permissible under international law and in accordance with the Charter and resolutions of the United Nations, a struggle that was also waged by the American people under the leadership of great men who provided humanity with one of the most significant of all human rights documents.

The League of Arab States, whose members have affirmed their earnest desire for the achievement of a comprehensive and lasting peace, as is clearly stated in the resolutions adopted by the recent Arab Summit Conference held at Baghdad, while expressing its regret at this adverse development, hopes that the United States Administration will reconsider its decision out of a conviction that the dialogue with the PLO is a service to the cause of peace and not a favour to the PLO.

The League of Arab States sees it as its duty to call attention in a forceful manner to the grave dangers arising from the complete dominance of the policy of extremism in Israel and the grave threat to the security and safety of the inhabitants of the occupied Arab territories to which that gives rise. It further calls attention to the responsibility borne by the United States Administration for the aggravation of the situation in the occupied territories as a result of its decision to suspend the dialogue and the unconditional support it provides to Israel.